



U.S. Department of Justice

**Stephen J. Murphy
United States Attorney
Eastern District of Michigan**

*Suite 2001
211 West Fort Street
Detroit, Michigan 48226-3277
Fax: (313) 226-3561*

For Immediate Release:

Contact: Gina Balaya (313) 226-9758

July 9, 2007

EVENT: Settlement

Defendant: Lombardo et al

**JUSTICE DEPARTMENT SETTLES DISABILITY
DISCRIMINATION SUIT AGAINST MICHIGAN
DEVELOPER AND ARCHITECT**

The Justice Department announced today that the developer and designer of an apartment and condominium complex in Sterling Heights, Michigan, have agreed to settle a lawsuit alleging that they violated the Americans with Disabilities Act. The developer and designer of The Preserves are alleged to have designed and constructed the complex without the accessibility features required by federal law, and have agreed to pay over \$146,000 and take other steps to retrofit the complex in order to make it more accessible to persons with disabilities.

“Those who design and construct housing units may not ignore their obligation to make them accessible to persons with disabilities,” said Wan J. Kim, Assistant Attorney General for the Civil Rights Division. “The Justice Department will continue its vigorous enforcement of all the fair housing laws.”

United States Attorney Stephen J. Murphy added that “The ability to live independently in one's own home is a basic civil right. That right is denied to the many people with disabilities who are blocked at the front door and unable to gain entrance. Today's settlement redresses

those sorts of inequities at The Preserves in Sterling Heights. I congratulate the Department of Justice trial team that handled this matter and I credit the defendants with cooperation that led to a fair resolution of the matter.”

The lawsuit, filed today along with the proposed settlement, alleges that the defendants designed and constructed the complex with steps to the front doors and with other features that made the complex inaccessible to persons with disabilities. Under the settlement agreement, which must still be approved by the U.S. District Court for the Eastern District of Michigan, the defendants will:

- Retrofit the complex to make it more accessible;
- Ensure that future or ongoing construction meets the accessibility requirements of the Fair Housing Act;
- Establish a \$96,000 fund to pay for retrofits to condominiums that have previously been sold;
- Pay up to \$25,000 to individuals who were harmed by the lack of accessible features at the properties; and
- Pay a \$25,000 civil penalty.

The defendants include the developer, Palazzolo and Lombardo of Michigan, and the architect who designed the complexes, Robert Lipka, P.C. Palazzolo and Lombardo of Michigan is wholly owned by two Michigan development companies, Palazzolo Brothers of Michigan, Inc. and Lombardo of Michigan, LLC.

Fighting illegal housing discrimination is a top priority of the Justice Department. In February 2006, Attorney General Alberto R. Gonzales announced Operation Home Sweet Home, a concentrated initiative to expose and eliminate housing discrimination in America. This initiative was inspired by the plight of displaced victims of Hurricane Katrina who were suddenly forced to find new places to live. Operation Home Sweet Home is not limited to the areas hit by Hurricane Katrina and targets housing discrimination all over the country. More information about Operation Home Sweet Home is available at the Justice Department Web site at <http://www.usdoj.gov/fairhousing>. Individuals who believe that they may have been victims of housing discrimination can call the Housing Discrimination Tip Line (1-800-896-7743), email the Justice Department at fairhousing@usdoj.gov, or contact the U.S. Department of Housing and Urban Development at 1-800-669-9777.

The federal Fair Housing Act prohibits discrimination in housing based on race, color, religion, national origin, sex, disability and familial status. Since Jan. 1, 2001, the Justice

Department's Civil Rights Division has filed 225 cases to enforce the Fair Housing Act, 103 of which have alleged discrimination based on disability. More information about the Civil Rights Division and the laws it enforces is available at <http://www.usdoj.gov/crt>.